FINANCIAL ASSISTANCE FUNDING OPPORTUNITY ANNOUNCEMENT



U.S. Department of Energy Golden Field Office

Assessing the Feasibility of Renewable Energy Development and Energy Efficiency Deployment on Tribal Lands

Funding Opportunity Number: DE-PS36-09GO99024

Announcement Type: Modification 001

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Application Due Date: April 16, 2009 11:59 PM Eastern Time



Department of Energy

Golden Field Office 1617 Cole Boulevard Golden, Colorado 80401-3393

> DE-PS36-09G099024 Modification No. 001

DATE: April 13, 2009

FROM: Sara Wilson, Contracting Officer

TO: All Prospective Applicants

SUBJECT: Modification No. 001 to Announcement DE-PS36-09G099024,

"Assessing the Feasibility of Renewable Energy Development and Energy

Efficiency Deployment on Tribal Lands"

The Announcement is amended as follows:

1. The following paragraph is added in Part IV.E. – APPLICATION AND SUBMISSION INFORMATION to Section E. Submission Dates and Times:

"While every effort must be made to submit a complete application package by the application due date, DOE will allow applicants until May 15, 2009 to obtain the required agreements, signed Tribal Council Resolution(s), or cost share commitments (if any) as long as the intent is documented within the application submitted no later than April 16, 2009.

Please note that if all the required documentation is not received by May 15, 2009, the application will not be considered for further review."

2. All other terms and conditions remain unchanged.

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PART I – FUNDING OPPORTUNITY DESCRIPTION

A. GENERAL INFORMATION

The Weatherization and Intergovernmental Program of the Department of Energy's (DOE), Office of Energy Efficiency and Renewable Energy, is soliciting applications for assessing the feasibility of developing renewable energy on Tribal Lands or implementing building efficiency on existing Tribally-owned buildings. Through Grants, DOE intends to provide financial support under the provisions of the Title V of the Energy Policy Act (EPAct) of 2005.

DOE's Tribal Energy Program promotes tribal energy sufficiency and fosters employment and economic development on Tribal Lands through financial and technical assistance to Federally-recognized Tribes for feasibility studies and renewable energy and energy efficiency development projects. For more on DOE's Tribal Energy Program, see www.eere.energy.gov/tribalenergy.

Under this Funding Opportunity Announcement (FOA or Announcement), DOE is soliciting applications from Indian Tribes, including Alaska Native villages, village and Regional Corporations, Tribal Energy Resource Development Organizations, and Tribal Consortia to conduct feasibility studies for either the:

- 1) Implementation of building efficiency measures, including:
 - a. Energy efficiency improvements; and/or
 - b. Renewable energy systems to meet the building's heating or cooling load; or
- 2) Development of economically sustainable renewable energy installations.

For purposes of this Funding Opportunity Announcement, Indian Tribes, Tribal Energy Resource Development Organizations, and Tribal Consortia and Tribal Lands are as defined under Part III, Eligibility Information, and under Appendix A of this Announcement.

The Indian Tribe, Tribal Energy Resource Development Organization, or Tribal Consortium <u>must</u> provide a long-term energy vision, identify and provide evidence of the availability and sustainability of the renewable energy resource or the potential for energy savings, address how the use of energy efficiency and renewable energy will integrate with the cultural, social, and long-term goals of the Tribe, identify the potential for job creation, the potential for economic and environmental benefits to the Tribal community, and the potential for replication or expansion across Indian Country.

The availability and sustainability of the renewable energy resource or potential energy savings, level of commitment, and capabilities of the applicant and project participants to accomplish the project objectives will be major factors in selecting projects for funding.

DOE will <u>only</u> consider applications from an Indian Tribe (hereafter referred to as "Tribe"), Tribal Energy Resource Development Organization, or Tribal Consortium on whose Tribal Lands the project will be located (see Part III, Eligibility Information, for a further definition). Multiple applications may be submitted from a single applicant, as long as each is specific to only one of the two topic areas above. All applications must designate the specific topic area under which that application is being submitted in the Project Summary/Abstract and on the cover of the Narrative file (see Part IV.C., Content and Form of Application).

Applications proposing the evaluation of product marketing opportunities, assessment of manufacturing opportunities, research, product development, construction of manufacturing facilities, or construction renewable energy power projects, or implementation of energy efficiency measures will <u>not</u> be considered. It is expected that renewable energy hardware

proposed for evaluation be commercially available with associated warrantees. Applicants wishing to implement building efficiency measures, develop renewable energy projects or install renewable energy systems should refer to Funding Opportunity Announcement DE-PS36-09GO99014, Renewable Energy or Energy Efficiency Development and Deployment in Indian Country.

A Tribal Council Resolution by each participating Tribe, declaration from each Tribal Energy Resource Development Organization entity or Tribal Consortium, and a letter of commitment from all other project participants, are required as a part of the application. See Part IV.C., Content and Form of Application, for requirements.

Selected applicants will be required to document progress in quarterly reports and the results in a comprehensive final report, as well as present at annual Tribal Energy Program Reviews to be held each Fall in Denver, Colorado. For planning purposes, applicants should plan to attend and present project activities each Fall during the project period. Travel costs for a one-week trip each Fall should be included in the proposed budget.

Financial Assistance Awards under this Funding Opportunity Announcement are contingent upon the availability of appropriated funds.

B. MERIT REVIEW CRITERIA DISCUSSION

The Project Narrative should address each of the following elements. See Part IV.C., Content and Form of Application, for additional instructions on the application content. See Section II below for eligible technologies and requirements.

Criterion 1 Discussion: Goals and Objectives

- Provide a concise overview of the proposed project including: a discussion of the goals of the Tribe, Tribal Energy Resource Development Organization or Tribal Consortium; objectives of the project; and the project location(s). Maps may be included as an attachment, if needed, under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).
- Describe the long-term energy vision and energy goals of the Tribe, Tribal Energy Resource
 Development Organization or Tribal Consortium. Supply any strategic energy plans or other
 supplemental data as an attachment under the Energy Plan File (see Part IV.C., Content
 and Form of Application).
- Provide a description of the Tribe, Tribal Energy Resource Development Organization, or Tribal Consortium including the project management structure.
- Describe how the proposed project integrates with the cultural, social, and long-term energy goals of the Tribe, Tribal Energy Resource Development Organization or Tribal Consortium
- Provide a description of the anticipated economic, environmental, cultural, and social benefits to the Tribe(s) and Tribal members as a result of the project.
- Identify the impact of DOE's contributions to the viability of the project.
- Describe the potential for future replication or expansion of the project beyond that currently proposed.

Criterion 2 Discussion: Project Description and Implementation Plan

Applicants may propose feasibility studies for building efficiency, including installation of energy efficiency improvements or renewable energy systems for heating and cooling; or for development of renewable energy projects. Each application can only address one of the two topic areas (building efficiency or renewable energy) and should address each of the elements under the applicable topic area below.

Building Efficiency Feasibility Studies:

Under building efficiency, applicants may propose the assessment of:

- 1) Energy efficiency improvements; and/or
- 2) Renewable energy systems to meet the building's heating or cooling load

Applications proposing under Building Efficiency should plan on conducting energy audits, documenting current energy consumption or heating and cooling loads, assessing the economics, conducting preliminary engineering for the development of material lists if for energy efficiency improvements or renewable energy resources if for heating and cooling applications, projecting energy savings or fossil fuel reduction, and assessing potential financing options.

All proposed assessments must be on existing Tribally-owned buildings. For purposes of this Announcement, a "Tribally-owned building" is one where the Tribe has the authority to retrofit the facility and is either owned by the Tribe or Tribal members, or where the Tribe has a long-term lease. Buildings may include, but are not limited to, homes, schools, community buildings, clinics, or government buildings. Only existing tribally-owned buildings will be considered. No new construction will be considered for funding.

Energy efficiency improvements to existing tribally-owned buildings include, but are not limited to, building envelop improvements leading to significant reductions in heating and/or cooling costs, space heating and cooling, water heating, lighting, appliances, office equipment and building electrical equipment.

For purposes of this Announcement, Building Efficiency also includes the installation of renewable energy systems for heating or cooling buildings. Heating or cooling applications include, but are not limited to, the use of biomass for high efficiency stoves, boilers or furnaces, active or passive solar thermal systems for space or water heating, direct heating or cooling using geothermal resources (including ground source heat pumps), or other renewable energy hybrid systems for the production of heat or air cooling.

Each application under Building Efficiency should include the following as they apply to the focus of the application (energy efficiency improvements or renewable energy for building heating and/or cooling):

- Provide a detailed description of the proposed project.
- Describe the existing buildings to be assessed (e.g., number of buildings, building type such as homes, schools, community buildings, clinics, or tribal government buildings; size of each building; and location of each building. Maps may be included as an attachment, if needed, under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).
- Describe the current energy use such as the fuel type (e.g., diesel fuel, propane, heating oil, wood, natural gas or electric); costs (if known); and description of the current energy supplier. Any supplemental data can be supplied as attachments under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).

- For applications proposing the assessment of energy efficiency improvements,
 - Describe the plan for conducting building energy audits.
 - Describe how the technical and economic viability of the energy efficiency improvement options will be evaluated and selected.
- For applications proposing the assessment of renewable energy systems to meet the building's heating or cooling load,
 - Describe the availability and sustainability of the renewable energy resource(s).
 Supply evidence of the available renewable energy resource including site maps, resource maps, or other resource data documenting those resources as an attachment (see Site and Resource Maps File under Part IV.C., Content and Form of Application).
 - Describe how the renewable energy resource will be quantified including site-specific resource assessments.
 - Describe how the technical and economic viability of commercial renewable energy technology options will be evaluated and selected.
- Provide a preliminary projection of the energy savings or reduction in fossil fuel usage.
- Describe how the economic viability of the proposed project will be evaluated.
- Describe the anticipated benefits (e.g., economic, environmental, cultural, and social) to the Tribe(s) and Tribal members as a result of the project and supply plan for assessing those benefits (e.g., employment, cultural and social).
- Describe the activities to be undertaken to identify and obtain the required environmental permits, approvals, or decisions.
- Describe how barriers that could impede the project will be identified and documented and plans developed to overcome barriers.
- Describe efforts taken or to be undertaken to gain Tribal community support.
- Describe efforts to be undertaken to gain Tribal leadership support and plans to obtain a Tribal Council Resolution to implement the resultant project.

Renewable Energy Feasibility Studies:

Successful feasibility study applications must demonstrate the availability of a renewable energy resource and should demonstrate the potential sustainability of renewable energy development on Tribal Lands including the potential economic and environmental benefits to the Tribe.

Renewable energy for power (electricity) production includes, but is not limited to, the use of renewable energy for: direct electrical generation, water pumping, or other grid connected or off-grid power uses. Power applications include, but are not limited to, the use biomass for power production, photovoltaic (solar electric), concentrating solar thermal power, geothermal electric generation, wind power, hydroelectric power, or other renewable energy hybrid system for electricity production. Applications may include generation for local consumption or for export off Indian Lands to generate revenue.

Feasibility applications should include plans to conduct:

- Site-specific renewable resource assessment(s):
- Tribal load assessment(s) and export markets
- Transmission and inter-connection considerations;
- Technology analysis;
- Economic analysis;
- Environmental assessment (i.e., benefits and impacts);
- Benefit assessment (e.g., employment, cultural and social);
- Preliminary system design(s);
- Training and other tribal professional development planning;
- Long-term operating and maintenance planning; and
- Business planning for implementing a sustainable renewable energy development project.

The application should also include plans to obtain: the necessary financing, power purchase agreements, transmission or interconnection agreements, and a Tribal Council Resolution. The feasibility study is intended to result in a comprehensive project plan sufficient for project development (detailed engineering through construction and commissioning).

Each application under Renewable Energy should address each of the following:

- Provide a detailed description of the proposed project.
- Describe the availability and sustainability of the renewable energy resource(s). Supply
 evidence of the available renewable energy resource including site maps, resource maps, or
 other resource data documenting those resources as an attachment (see Site and Resource
 Maps File under Part IV.C., Content and Form of Application).
- Describe how the renewable energy resource will be quantified including site-specific resource assessments.
- Describe how the technical and economic viability of commercial renewable energy technology options will be evaluated and selected.
- Provide a description of the Tribal loads or export market and a plan to quantify the local or export markets.
- Provide a preliminary projection of the energy savings or reduction in fossil fuel usage.
- Describe the anticipated benefits (e.g., economic, environmental, cultural, and social) to the Tribe(s) and Tribal members as a result of the project and supply plan for assessing those benefits (e.g., employment, cultural and social).
- Describe the activities to be undertaken to identify and obtain the required environmental permits, approvals, or decisions.
- Describe how barriers that could impede the project will be identified and documented and plans developed to overcome barriers.
- Describe efforts taken or to be undertaken to gain Tribal community support.
- Describe efforts to be undertaken to gain Tribal leadership support and plans to obtain a Tribal Council Resolution to implement the resultant project.

Criterion 3 Discussion: Roles, Responsibilities, Resources and Capabilities

- Provide a description of the management concept for the project including the names and roles of the applicant and each participating organization involved in the project, as well as business agreements between the applicant and participants, including suppliers, consultants or subcontractors. The descriptions shall encompass the following:
 - 1) Identification of who will represent the Tribe, Tribal Energy Resource Development Organization or Tribal Consortium as the Business Contact and the Technical Contact for DOE under an agreement, if one is awarded. The Business Contact is a representative authorized to act on behalf of the applicant to negotiate the agreement, as all DOE official correspondence related to this Announcement, or agreement if one was awarded, would be addressed to the business point of contact. The designated Technical Contact is one authorized to act as Project Manager on behalf of the applicant and would be the prime point of contact for DOE's Project Officer during the project performance, if an agreement were to be awarded.
 - 2) Management approach for implementing the proposed project, including organizational and individual roles and responsibilities:
 - 3) Capabilities of the applicant and each participant and a brief summary of experience and qualifications (Include individual resumes under Part IV.C. Resume File):
 - 4) If consultants or contractors have not been identified, indicate that in the narrative and supply a subcontract plan and detailed statement of work as an attachment (See Subcontract Plan C under Part IV.C., Content and Form of Application).
- Describe level of involvement and amount and type of cost sharing (if proposed) by the
 applicant and each participant involved in the project and supply evidence of those
 commitments of time resources and financial contributions (if any) in the form of Tribal

Council Resolutions, declarations or letters of commitment. See Statement of Commitment and Cost Sharing File under Part IV.C., Content and Form of Application for required content.

- Provide a description of the land proposed for use as part of the project; identify whether the
 land is held in Trust, land held in fee simple by the Tribe or under a long-term land lease by
 the Tribe; and supply a commitment from the owner(s) of that land for the proposed project
 under the Statement of Commitment and Cost Sharing File (see Part IV.C., Content and
 Form of Application).
- Describe and provide evidence of business agreements between the applicant and participants, including suppliers, consultants or subcontractors. Include any business agreements under the Agreements File (See Part IV.C., Content and Form of Application).

Criterion 4 Discussion: Project Activities and Schedule

Provide a description that includes the following:

- 1) Overview of the project objectives;
- 2) Summary of the approach for implementing the project;
- Detailed description of each of the activities or tasks to be performed under the proposed project and the results or milestones associated with each of those activities or tasks; and
- 4) Schedule of milestones coupled with a timeline of activities or tasks to be conducted included as a Gantt chart or task schedule. Successful applicants will use this project timeline to report progress.

PART II – AWARD INFORMATION

A. TYPE OF AWARD INSTRUMENT.

DOE anticipates awarding grants under this Funding Opportunity Announcement.

B. ESTIMATED FUNDING.

Approximately \$1,000,000 to \$2,500,000 is expected to be available for new awards under this Announcement.

C. MAXIMUM AND MINIMUM AWARD SIZE.

Ceiling (i.e., the maximum amount for an individual award made under this Announcement): \$250,000.

Floor (i.e., the minimum amount for an individual award made under this Announcement): \$50,000.

D. EXPECTED NUMBER OF AWARDS.

DOE anticipates making four (4) to ten (10) awards under this Announcement, depending on the size of the awards.

E. ANTICIPATED AWARD SIZE.

DOE anticipates that awards will be in the \$50,000 to \$250,000 range for the total project period.

F. PERIOD OF PERFORMANCE.

DOE anticipates making awards with project periods from one to two years.

PART III - ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS.

- In accordance with 10 CFR 600.6(b) and consistent with the EPAct 2005 authorities, eligibility for award under this Funding Opportunity Announcement is restricted to: (1) an Indian Tribe; (2) Tribal Energy Resource Development Organization; or (3) Tribal Consortium; on whose (4) Tribal Lands the project(s) will be located. More specifically,
 - 1) "Indian Tribe," for purposes of this Announcement, means any Indian tribe, band, nation or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) [43 U.S.C. §§ 1601 et seq.], which are recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.
 - 2) "Tribal Energy Resource Development Organizations," for purposes of this Announcement and in accordance with EPAct 2005, means an "organization" of two or more entities, at least one of which is an Indian Tribe as defined above, that has the written consent of the governing bodies of all Indian Tribes participating in the organization to apply for a grant or loan, or other assistance under 25 U.S.C. § 3502.
 - For purposes of this Announcement and as defined under Section 503 of EPAct 2005, the term "organization," means a partnership, joint venture, Limited Liability Company or other unincorporated association or entity that is established to develop Indian energy resources.
 - 3) "Tribal Consortium" (plural consortia), for purposes of this Announcement, means a group of organizations, at least one of which is an Indian Tribe as defined above, that have chosen to submit a single application. Under this Announcement, a Tribal Consortium is eligible to submit an application provided the application is submitted by a single Tribe representing the consortium.
 - 4) "Tribal Lands" for purposes of this Announcement, is defined as:
 - (a) any land located within the boundaries of an "Indian reservation", pueblo, or rancheria;
 - (b) any land not located within boundaries of an Indian reservation, pueblo, or rancheria, the title to which is held
 - (i) in trust by the United States for the benefit of an Indian tribe or an individual Indian:
 - (ii) by an Indian tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or
 - (iii) by a dependent Indian community;
 - (c) land that is owned by an Indian tribe and was conveyed by the United States to a Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. § 1601 et seq.), or that was conveyed by the United States to a Native Corporation in exchange for such land;
 - (d) lands held in fee simple (purchased or owned); and
 - (e) lands under a long-term Federal land lease.

For purposes of this Announcement and as defined under Section 503 of EPAct 2005, the term "Indian Reservation" includes an Indian reservation in existence in any State or States as of the date of enactment of Title V of EPAct 2005; a public

domain Indian allotment; and a dependent Indian community located within the borders of the United States, regardless of whether the community is on original or acquired territory of the community; or within or outside the boundaries of any State or States.

 Applications that propose a portion of the work to be performed by a Federally Funded Research and Development Center (FFRDC), as defined by the Federal Acquisition Regulation (FAR) 35.017, will <u>not</u> be considered for award.

B. COST SHARING.

No cost share is required.

PART IV - APPLICATION AND SUBMISSION INFORMATION

A. ADDRESS TO REQUEST APPLICATION PACKAGE.

Proposals must be submitted through the DOE Industry Interactive Procurement System (IIPS) at http://e-center.doe.gov. Instructions on how to submit a proposal or a proposal amendment and how to register, submit questions, and view questions and answers are located in Appendix D and on the web site at http://e-center.doe.gov: click on the Help button. The Adobe application package for this announcement is provided as a separate file on IIPS as an accompanying file. (Also see Section H of Part IV below.)

B. LETTER OF INTENT AND PRE-APPLICATION.

Neither Letters of Intent nor Pre-applications are required.

C. CONTENT AND FORM OF APPLICATION - SF 424

You must complete the mandatory forms and any applicable optional forms, in accordance with the instructions on the forms and the additional instructions below, as required by this FOA. Files that are attached to the firms must be in Adobe Portable Document Format (PDF) unless otherwise specified in this announcement. The Adobe Application Package is provided as an accompanying file to the solicitation in IIPS. Applicants must have a compatible version of Adobe Reader software to complete the Adobe Application Package. To ensure you have the compatible version of Adobe Reader, visit the "Download Software" page at http://www.grants.gov/help/download software.jsp

1. SF 424 - Application for Federal Assistance.

Complete this form first to populate data in other forms. Complete all required fields in accordance with the instructions on the form. Include the Topic Area with the descriptive title of the project in Block 15. The list of certifications and assurances referenced in Field 21 can be found at

http://management.energy.gov/business doe/business forms.htm, under Certifications and Assurances.

2. Project/Performance Site Location(s)

Indicate the primary site where the work will be performed. If a portion of the project will be performed at any other site(s), identify the site(s).

3. Other Attachments Form

Submit the following files with your application form and attach them to the Other Attachments Form. Click on "Add Mandatory Other Attachment" to attach the Project Narrative. Click on "Add Optional Other Attachment," to attach the other files.

Project Summary/Abstract (Field 6 on the Form)

The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the Technical and Business Contacts for the project (see Narrative Cover Page below for a definition), the project title, the objectives of the project, a description of the project, including methods to be employed, the potential impact of the project (i.e., benefits, outcomes), and major participants (for collaborative projects). Applicants are cautioned that this document should not include any proprietary information, trade secrets, or other confidential business, financial or sensitive information, since this summary may be subject to public disclosure under the Freedom of Information Act (FOIA). The project summary must not exceed **2 pages** when printed using standard 8.5" by 11" paper with 1" margins (top, bottom, left and right) with font not smaller than 11 point. Save this information in a file named "Summary.pdf," and click on "Add Optional Other Attachment" to attach file.

Project Narrative (Field 7 on the form)

The project narrative must not exceed 15 pages, including cover page and table of contents, when printed using standard 8.5" by 11" paper with 1 inch margins (top, bottom, left, and right). EVALUATORS WILL ONLY REVIEW THE NUMBER OF PAGES SPECIFIED IN THE PRECEDING SENTENCE. The font must not be smaller than 11 point. Do not include any Internet addresses (URLs) that provide information necessary to review the application, because the information contained in these sites will not be reviewed. See Part VIII.D for instructions on how to mark proprietary application information. Save the information in a single file named "ProjectNarrative.pdf," and click on "Add Mandatory Other Attachment" to attach file.

The project narrative must include:

Cover Page

The cover page must indicate the name of the Applicant (Tribe or Tribal Energy Resource Development Organization), project title, project location(s), Funding Opportunity Announcement title and number (DE-PS36-09GO99024), Topic Area (Building Efficiency or Renewable Energy), and both the technical and business points of contact for the applicant, denoting the names, titles, addresses, telephone and facsimile numbers, and electronic mail addresses. The Business Contact is a representative authorized to act on behalf of the applicant to negotiate the agreement, as all DOE official correspondence related to this Announcement, or agreement if one was awarded, would be addressed to the business point of contact. The designated Technical Contact is a representative authorized to act as project manager on behalf of the applicant and would be the prime point of contact for DOE's Project Officer during project performance, if an agreement were to be awarded. The cover page should also identify the name and type of organization for each key participant including consultants or contractors, along with the names, titles, addresses, telephone and facsimile, and electronic mail addresses of participant contacts.

Table of Contents

The narrative shall include a table of contents and page numbers corresponding to the elements outlined in these guidelines.

Merit Review Criterion Discussion

The section should be formatted to address each of the sections described under Merit Review Criterion Discussion (Part I.B) and the associated criterion and subcriterion listed in Part V.A. Provide sufficient information so that reviewers will be able to evaluate the application in accordance with the merit review criteria. DOE WILL EVALUATE AND CONSIDER ONLY THOSE APPLICATIONS THAT ADDRESS SEPARATELY EACH OF THE MERIT REVIEW CRITERIA AND SUB-CRITERIA.

Energy Plan File

Supply the long-term energy plan or other supplemental energy plan data. Save this information in a single file named "EnergyPlan.pdf," and click on "Add Optional Other Attachment" to attach file.

Site and Resource Maps File

For applications proposing the installation of renewable energy systems, supply evidence of the available renewable energy resource including site maps, resource maps, or other resource data documenting those resources as defined under Part I.B. Any supplemental data on building size, location, energy use, or energy supply should be included here. Save this information in a single file named "SiteResourceMaps.pdf," and click on "Add Optional Other Attachment" to attach file.

Statements of Commitment and Cost Sharing File

A Tribal Council Resolution by each participating Indian Tribe, declaration from each Tribal Energy Resource Development Organization entity or Tribal Consortium, and a letter of commitment from all other project participants, are required as a part of the application. The Tribal Council Resolution(s) and declaration(s) must not only authorize the submittal of the application, but also indicate support for the proposed project. The Tribal Council Resolution(s) must: 1) include a description of the land proposed for use as part of the proposed project; 2) identify whether the land is held in Trust, land held in fee simple by the Tribe, or land under a long-term lease by the Tribe; and 3) provide a commitment for use of that land for the proposed project. Additionally, the Tribal Council Resolution(s), declarations, and letters of commitments must include a statement of the level and type of cost share commitments (time, resources, or financial contributions), if any. Save this information in a single file named "Commitments.pdf," and click on "Add Optional Other Attachment" to attach file.

The statements of commitment should include a detailed estimate of the cash value (basis of and the nature of; e.g., equipment, labor, facilities, cash, etc.) of all contributions to the project by project participants. Note that "Cost Sharing" is not limited to cash investment. In-kind contributions (e.g., contribution of services or property; donated equipment, buildings, or land; donated supplies; or unrecovered indirect costs) incurred as part of the project may be considered as all or part of the Cost Share. The "Cost Sharing" definition is contained in 10 CFR 600.30, 600.101, 600.123, 600.224, and OMB Circular A-110. Foregone fee or profit by the applicant shall not be considered Cost Sharing under any resulting Award. Reimbursement of actual costs will only include those costs that are reasonable, allowable and allocable to the project as determined in accordance with the applicable cost principles prescribed in 10 CFR 600.127 and 10 CFR 600.224 for the respective participants.

Agreements File

Supply evidence of business agreements between the applicant and participants, including suppliers, consultants or subcontractors. Save this information in a single file named "Agreements.pdf," and click on "Add Optional Other Attachment" to attach file.

Subcontract Plan File

A subcontract plan is required if project participants (i.e., subcontractors or consultants) have not been identified. Include a description of the selection process to be employed, statement of work, and criteria for selection. Save this information in a single file named "SubcontractPlan.pdf," and click on "Add Optional Other Attachment" to attach file.

Resumes File

Provide a resume for each key person (Tribal representative, consultant, or contractor) proposed. A key person is any individual who contributes in a substantive, measurable way to the execution of the project. Of the key personnel identified in this file, indicate the Principal Investigator(s) (PI). If multiple PI's are proposed, the applicant must provide the information indicated in Part III, Section D. as part of this file. This file should be included as an attachment file rather than with the narrative file (these resumes will not count against the page limit). Save all resumes in a single file named "Resumes.pdf" and click on "Add Optional Other Attachment" to attach file.

Each resume must <u>not</u> exceed <u>2 pages</u> when printed on 8.5" by 11" paper with 1 inch margins (top, bottom, left, and right) with font not smaller than 11 point.

Form SF 424A Excel, Budget Information – Non-Construction Programs File Use Form SF 424A Excel, "Budget Information – Non Construction Programs" on the Applicant and Recipient Page at

http://management.energy.gov/business doe/business forms.htm. You may request funds under any of the Object Class Categories as long as the item and amount are necessary to perform the proposed work, meet all the criteria for allowability under the applicable Federal cost principles, and are not prohibited by the funding restrictions in this Announcement (See PART IV, G). The budget must reflect the total project budget including both the requested DOE funds and the proposed cost share contributions. Save the information in a single file named "SF424A.xls," and click on "Add Optional Other Attachment" to attach file

Budget Justification for SF 424A Budget

Justify the total project costs both the requested DOE funds and the proposed cost share contributions proposed by Object Class Category/Cost Classification category (e.g., identify key persons and personnel categories and the estimated costs for each person or category; provide a list of equipment and cost of each item; identify proposed subaward/consultant work and cost of each subaward/consultant; describe purpose of proposed travel, number of travelers and number of travel days; list general categories of supplies and amount for each category; and provide any other information you wish to support your budget). The justification should also include the basis for the proposed costs (e.g., estimated based previous actual expenses, quotes, published prices). Also, provide the name of your cognizant/oversight agency, if you have one, and the name and phone number of the individual responsible for negotiating your indirect rates as part of the budget justification or under the comments under the Indirect tab of the Budget Justification form (PMC 123.1).

The Excel format provided as PMC 123.1, Budget Justification for SF 424A, under "Application Forms" at https://www.eere-pmc.energy.gov/Forms.aspx is recommended but not required for use in providing this budget justification.

If cost sharing is required, you must have a letter from each third party contributing cost sharing (i.e., a party other than the organization submitting the application) stating that the third party is committed to providing a specific minimum dollar amount of cost sharing. Supply the cost sharing letters of commitment as part of the Statement of Commitment and Cost Sharing File. In the budget justification, identify the following information for each third party contributing cost sharing: (1) the name of the organization; (2) the proposed dollar amount to be provided; (3) the amount as a percentage of the total project cost; and (4) the proposed cost sharing – cash, services, or property.

Save the budget justification or PMC123.1-Budget_Justification as a single file named "Budget_Justification.xls," and click on "Add Optional Other Attachment" to attach file.

Subaward Budget File(s)

You must provide a separate budget for each subawardee that is expected to perform work estimated to be more than \$100,000 or 50 percent of the total work effort (which ever is less). Use the SF 424 A Excel for Non Construction Programs or the SF 424 C Excel for Construction Programs. These forms are found on the Applicant and Recipient Page at http://management.energy.gov/business doe/business forms.htm. Save each Subaward budget in a separate file. Use up to 10 letters of the subawardee's name (plus .xls) as the file name (e.g., ucla.xls or energyres.xls), and click on "Add Optional Other Attachment" to attach file.

Form PMC 121.1, Financial Assistance Pre-Award Information Sheet

Complete the Financial Assistance Pre-Award Information Sheet (Form PMC 121.1). The form PMC 121.1 may be obtained under "Application Forms" at https://www.eere-pmc.energy.gov/Forms.aspx. Save the Financial Assistance Pre-Award Information Sheet as a single file named "PreAwardInfo.pdf," and click on "Add Optional Other Attachment" to attach file.

SF-LLL Disclosure of Lobbying Activities

If applicable, complete Standard Form (SF-LLL), "Disclosure Form to Report Lobbying." If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the grant/cooperative agreement, you must complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying." The Standard Form SF-LLL may be obtained under "Application Forms" at https://www.eere-pmc.energy.gov/Forms.aspx. Save as a single file named "SF-LLL.pdf", and click on "Add Optional Other Attachment" to attach file.

Your application must include the attachments specified in the following table on the next page.

SUMMARY OF REQUIRED FORMS/FILES

Your application must include the following attachments:

Name of Document	Format	File Name
SF 424 - Application for Federal Assistance	On-line Form	N/A
Project/Performance Site Location(s)	On-line Form	N/A
Other Attachments Form: Attach the following files to this form. Click on "Add Mandatory Other Attachment" to attach the Project Narrative File. Click on "Add Optional Other Attachment," to attach the other files		N/A
Project Summary/Abstract File	PDF	Summary.pdf
Project Narrative File	PDF	ProjectNarrative.pdf
Energy Plan File	PDF	EnergyPlan.pdf
Site and Resource Maps File	PDF	SiteResourceMaps.pdf
Statements of Commitment and Cost Sharing File	PDF	Commitments.pdf
Agreements File	PDF	Agreements.pdf
Subcontract Plan File	PDF	SubcontractPlan.pdf
Resumes File	PDF	Resumes.pdf
Form SF 424A Excel - Budget Information for Non-Construction Programs File	Excel	SF424A.xls
Budget Justification for SF 424A Budget (Form PMC 123.1 recommended)	Excel	Budget_Justification.xls
Subaward Budget File(s), if applicable	Excel	See Instructions
Form PMC 121.1, Financial Assistance Pre- Award Information Sheet	PDF	PreAwardInfo.pdf
SF-LLL Disclosure of Lobbying Activities, if applicable	PDF	SF-LLL.pdf

D. SUBMISSIONS FROM SUCCESSFUL APPLICANTS.

If selected for award, DOE reserves the right to request additional or clarifying information for any reason deemed necessary, including, but not limited to:

- Indirect cost information
- Other budget information
- Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 10 CFR 1040.5)
- Environmental checklist information

E. SUBMISSION DATES AND TIMES.

1. Pre-application Due Date.

Pre-applications are not required.

2. Application Due Date. Applications must be received by April 16, 2009, 11:59 PM Eastern Time. You are encouraged to transmit your application well before the deadline and to confirm that your application has been received in advance of the deadline. Allow sufficient time to transmit your application and to confirm receipt which may take a number of days. APPLICATIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED OR CONSIDERED FOR AWARD.

F. INTERGOVERNMENTAL REVIEW

This program is not subject to Executive Order 12372 – Intergovernmental Review of Federal Programs.

G. FUNDING RESTRICTIONS.

<u>Cost Principles</u>. Costs must be allowable in accordance with the applicable Federal cost principles referenced in 10 CFR Part 600. The cost principles for commercial organization are in FAR Part 31.

<u>Pre-award Costs.</u> Recipients may charge to an award resulting from this Announcement pre-award costs that were incurred within the ninety (90) calendar day period immediately preceding the effective date of the award, if the costs are allowable in accordance with the applicable Federal cost principles referenced in 10 CFR part 600. Recipients must obtain the prior approval of the contracting officer for any pre-award costs that are for periods greater than this 90 day calendar period.

Pre-award costs are incurred at the applicant's risk. DOE is under no obligation to reimburse such costs if for any reason the applicant does not receive an award or if the award is made for a lesser amount than the applicant expected.

H. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS

Applications must be submitted through the DOE Industry Interactive Procurement System (IIPS) at http://e-center.doe.gov. Instructions on how to submit an application or application amendment and how to register, submit questions, and view questions and answers are located in Appendix D and on the web site at http://e-center.doe.gov: click on the Help button.

Prepare all required files in accordance with the instructions in this announcement prior to starting the transmission process. Submit the entire proposal package in one IIPS session (i.e., do not log off before all the files are submitted).

When you are ready to submit your application, go to http://e-center.doe.gov and complete the IIPS cover page. Enter the project title and the name of the principal investigator/project director, in the "Subject" block. Then attach the application package in accordance with the IIPS guidance. Follow the instructions for submitting the application.

If you have any problems accessing information or submitting your application, contact the Help Desk at 1-800-683-0751 and select option 1, or send an email to HelpDesk@pr.doe.gov.

ONLY APPLICATIONS SUBMITTED THROUGH IIPS WILL BE CONSIDERED FOR AWARD.

Applications submitted through IIPS constitute submission of electronically signed proposals. The name of the authorized organizational representative (i.e., the administrative official, who, on behalf of the proposing organization, is authorized to make certifications and assurances or to commit the applicant to the conduct of a project) must be typed in the signature block on the form to be accepted as an electronic signature. Do not submit a scanned copy of the signed document.

In order to submit an application, you must be authorized by the applicant (i.e., institution or business entity) to submit a proposal on its behalf and you must register in IIPS. You are encouraged to register as soon as possible. You only have to register once to apply for any DOE award.

To register go to http://e-center.doe.gov and follow the registration instructions.

Amendments to this announcement will be posted on the DOE Industry Interactive Procurement System (IIPS).

If you register in IIPS, you may join this announcement mailing list to receive an email when an amendment or an announcement message is posted. To view amendments and announcement messages, locate the announcement on IIPS and click on the folder next to the announcement number or follow the directions for "Locate Solicitation."

PART V - APPLICATION REVIEW INFORMATION

A. CRITERIA

1. Initial Review Criteria. Prior to a comprehensive merit evaluation, DOE will perform an initial review to determine that (1) the applicant is eligible for an award; (2) the information required by the Announcement has been submitted; (3) all mandatory requirements are satisfied; and (4) the proposed project is responsive to the objectives of the funding opportunity Announcement.

2. Merit Review Criteria.

The following factors will be used to evaluate applications. The sub-criteria under each criterion are of equal weight.

Weight: 10%

Criterion 1: Goals and Objectives

- Clarity and completeness of the discussion of the project goals and objectives.
- Clarity of the long-term energy vision and reasonableness of the energy plan.
- Clarity of the description of the Tribal, Tribal Energy Resource Development Organization, or Tribal Consortium and project management structure.
- Compatibility of the proposed project with the cultural, social, and long-term energy goals of the Tribe, or Tribal Energy Resource Development Organization, or Tribal Consortium.
- Extent to which the proposed project provides economic, environmental, cultural, or social benefits to the Tribe(s) and Tribal community.
- Soundness of the discussion that justifies the need for DOE funding.
- Potential for future replicability or expansion beyond that currently proposed.

Criterion 2: Project Description and Implementation Plan

Building Efficiency Feasibility Studies:

Applications proposing building efficiency will be rated on the following criteria.

- Clarity and completeness of the discussion of the proposed project.
- Clarity and completeness of the description of the buildings to be assessed.
- Completeness of the description and documentation of current building energy use.
- For applications proposing the assessment of energy efficiency improvements,
 - Reasonableness of the plan for conducting energy audits.
 - Reasonableness of the methodology for determining the technical and economic viability of building efficiency improvement options to be evaluated and selected.

Weight: 40%

- For applications proposing the assessment of renewable energy systems to meet the building's heating or cooling load,
 - o Adequacy of the available renewable energy resource(s).
 - o Reasonableness of the plan for quantifying the renewable energy resource.
 - Reasonableness of the methodology for determining the technical and economic viability of commercial renewable energy technology options to be evaluated and selected.
- Potential for energy savings or reduction in fossil fuel usage.
- Quality of the methodology to be used to determine the economic viability of the proposed project.
- Clarity and completeness of the description of the potential benefits (e.g., employment, cultural, and social) to the Tribe and Tribal community and reasonableness of the plan to assess those benefits
- Quality of the plan to identify and obtain the required environmental permits, approvals, or decisions.
- Clarity and completeness of the discussion of barriers that could impede the project and reasonableness of the plan to overcome those barriers.
- Viability of the plan to gain Tribal community support.
- Reasonableness of the plan to gain Tribal leadership support and obtain a Tribal Council Resolution to implement the resultant project.

Renewable Energy Feasibility Studies:

- Clarity and completeness of the discussion of the proposed project.
- Adequacy of the available renewable energy resource(s).
- Reasonableness of the plan for quantifying the renewable energy resource.
- Reasonableness of the methodology for determining the technical and economic viability of commercial renewable energy technology options to be evaluated and selected.
- Clarity and completeness of the discussion of Tribal loads or export market and reasonableness of the plan to quantify the local or export markets.
- Potential for energy savings or reduction in fossil fuel usage.
- Quality of the methodology to be used to determine the economic viability of the proposed project.
- Clarity and completeness of the description of the potential benefits (e.g., employment, cultural, and social) to the Tribe and Tribal community and reasonableness of the plan to assess those benefits
- Quality of the plan to identify and obtain the required environmental permits, approvals, or decisions.
- Clarity and completeness of the discussion of barriers that could impede the project

and reasonableness of the plan to overcome those barriers.

- Viability of the plan to gain Tribal community support.
- Reasonableness of the plan to gain Tribal leadership support and obtain a Tribal Council Resolution to implement the resultant project.

Criterion 3: Roles, Responsibilities, Resources, and Capabilities Weight: 30%

- Soundness of the project management concept with respect to proposed tasks and organizational structure to achieve project objectives.
- Capabilities of the applicant and participants to comprehensively address all aspects
 of the proposed project or reasonableness of the plan to obtain qualified suppliers,
 subcontractors, or consultants.
- Level of commitment of the applicant and each participating organization as evidenced by level of involvement, contributions, and cost sharing (if proposed) identified in the Tribal Council Resolutions, declarations, and letters of commitment.
- Quality of the description of Tribal Land to be used for the project and evidence of a land use commitment.

Weight: 20%

 Reasonableness of the business agreements between each of the parties to implement the project.

Criterion 4: Project Activities and Schedule

- Clarity of the project objectives.
- Adequacy of the approach to implement the project.
- Clarity and completeness of the description of each activity necessary to complete the project and reasonableness of the milestones.
- Likelihood of achieving project objectives through realistic milestones and logical task structure.

2. Other Selection Factors

The selection official may consider the following program policy factors in the selection process:

- Geographic diversity of selected projects
- Diversity of building efficiency improvements or renewable energy technologies

B. REVIEW AND SELECTION PROCESS.

1. **Merit Review.** Applications that pass the initial review will be subjected to a merit review in accordance with the guidance provided in the "Department of Energy Merit Review Guide for Financial Assistance and Unsolicited Proposals." This guide is at http://www.management.energy.gov/documents/meritrev.pdf.

2. Selection.

The Selection Official will consider the merit review recommendations, program policy factors, and the amount of funds available in making selections for negotiation of award.

3. Discussions and Award. The Government may enter into discussions with a selected applicant for any reason deemed necessary, including, but not limited to: (1) the budget is not appropriate or reasonable for the requirement; (2) only a portion of the application is selected for award; (3) the Government needs additional information to determine that the recipient is capable of complying with the requirements in 10 CFR part 600; and/or (4) special terms and conditions are required. Failure to resolve satisfactorily the issues identified by the Government will preclude award to the applicant.

C. ANTICIPATED NOTICE OF SELECTION AND AWARD DATES.

DOE anticipates notifying applicants of selected for negotiation of award by July 31, 2008 and making awards by September 30, 2008.

PART VI - AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES.

1. Notice of Selection.

DOE will notify applicants selected for negotiation of award. This notice of selection is not an authorization to begin performance. (See Part IV.G with respect to the allowability of pre-award costs.)

Organizations whose applications have not been selected will be advised, in writing, as promptly as possible why the application was not selected for negotiation of award.

2. Notice of Award.

A Notice of Financial Assistance Award issued by the contracting officer is the authorizing award document. It normally includes, either as an attachment or by reference: 1. Special Terms and Conditions; 2. Applicable program regulations, if any; 3. Application as approved by DOE/NNSA.; 4. DOE assistance regulations at 10 CFR Part 600, or, for Federal Demonstration Partnership (FDP) institutions, the FDP terms and conditions; 5. National Policy Assurances To Be Incorporated As Award Terms; 6. Budget Summary; and 7. Federal Assistance Reporting Checklist, which identifies the reporting requirements.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS.

1. Administrative Requirements.

The administrative requirements for DOE grants and cooperative agreements are contained in 10 CFR Part 600 (See: http://ecfr.gpoaccess.gov).

2. Special Terms and Conditions and National Policy Requirements.

The DOE Special Terms and Conditions for Use in Most Grants and Cooperative Agreements are located at

http://management.energy.gov/business doe/business forms.htm under Award Terms. The National Policy Assurances To Be Incorporated As Award Terms are located at http://management.energy.gov/business doe/business forms.htm under Award Terms.

3. Intellectual Property Provisions.

The standard DOE financial assistance intellectual property provisions applicable to the various types of recipients are located at http://www.gc.doe.gov/financial assistance awards.htm.

C. REPORTING. Reporting requirements are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, as an attachment to the award agreement. The proposed Checklist for this program is at https://www.eere-pmc.energy.gov/procurenet/FinancialAssistance/Forms/DOE Forms/DOEF4600 2.doc

PART VII - QUESTIONS

A. QUESTIONS

Questions regarding the content of the Announcement must be submitted through the "Submit Question" feature of the DOE Industry Interactive Procurement System (IIPS) at http://e-center.doe.gov. Locate the Announcement on IIPS and then click on the "Submit Question" button. Enter required information. You will receive an electronic notification that your question has been answered. DOE/NNSA will try to respond to a question within 3 business days, unless a similar question and answer have already been posted on the website. Potential applicants are encouraged to read all posted Q&A prior to posting a new question.

PART VIII - OTHER INFORMATION

A. MODIFICATIONS.

Notices of any modifications to this Announcement will be posted on the DOE Industry Interactive Procurement System (IIPS). You can receive an email when a modification or an Announcement message is posted by joining the mailing list for this Announcement through the link in IIPS.

B. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE.

DOE reserves the right, without qualification, to reject any or all applications received in response to this Announcement and to select any application, in whole or in part, as a basis for negotiation and/or award.

C. COMMITMENT OF PUBLIC FUNDS.

The Contracting Officer is the only individual who can make awards or commit the Government to the expenditure of public funds. A commitment by other than the Contracting Officer, either explicit or implied, is invalid.

D. PROPRIETARY APPLICATION INFORMATION.

Patentable ideas, trade secrets, proprietary or confidential commercial or financial information, disclosure of which may harm the applicant, should be included in an application only when such information is necessary to convey an understanding of the proposed project. The use and disclosure of such data may be restricted, provided the applicant includes the following legend on the first page of the project narrative and specifies the pages of the application which are to be restricted:

"The data contained in pages _____ of this application have been submitted in confidence and contain trade secrets or proprietary information, and such data shall be used or disclosed only for evaluation purposes, provided that if this applicant receives an award as a result of or in connection with the submission of this application, DOE shall have the right to use or disclose the data herein to the extent provided in the award. This restriction does not limit the government's right to use or disclose data obtained without restriction from any source, including the applicant."

To protect such data, each line or paragraph on the pages containing such data must be specifically identified and marked with a legend similar to the following:

"The following contains proprietary information that (name of applicant) requests not be released to persons outside the Government, except for purposes of review and evaluation."

E. EVALUATION AND ADMINISTRATION BY NON-FEDERAL PERSONNEL.

In conducting the merit review evaluation, the Government may seek the advice of qualified non-Federal personnel as reviewers. The Government may also use non-Federal personnel to conduct routine, nondiscretionary administrative activities. The applicant, by submitting its application, consents to the use of non-Federal reviewers/administrators. Non-Federal reviewers must sign conflict of interest and non-disclosure agreements prior to reviewing an application. Non-Federal personnel conducting administrative activities must sign a non-disclosure agreement.

F. INTELLECTUAL PROPERTY DEVELOPED UNDER THIS PROGRAM.

<u>Patent Rights</u>. The government will have certain statutory rights in an invention that is conceived or first actually reduced to practice under a DOE award. 42 U.S.C. 5908 provides that title to such inventions vests in the United States, except where 35 U.S.C. 202 provides otherwise for nonprofit organizations or small business firms. However, the Secretary of Energy may waive all or any part of the rights of the United States subject to certain conditions. (See "Notice of Right to Request Patent Waiver" in paragraph G below.)

Rights in Technical Data. Normally, the government has unlimited rights in technical data created under a DOE agreement. Delivery or third party licensing of proprietary software or data developed solely at private expense will not normally be required except as specifically negotiated in a particular agreement to satisfy DOE's own needs or to insure the commercialization of technology developed under a DOE agreement.

G. NOTICE OF RIGHT TO CONDUCT A REVIEW OF FINANCIAL CAPABILITY.

DOE reserves the right to conduct an independent third party review of financial capability for applicants that are selected for negotiation of award (including personal credit information of principal(s) of a small business if there is insufficient information to determine financial capability of the organization).

H. NOTICE OF POTENTIAL DISCLOSURE UNDER FREEDOM OF INFORMATION ACT.

Applicants should be advised that identifying information regarding all applicants, including applicant names and/or points of contact, may be subject to public disclosure under the Freedom of Information Act, whether or not such applicants are selected for negotiation of award.

I. EQUIPMENT.

DOE will retain a financial interest in any equipment acquired with Federal funds or supplied by the recipient or project participants as cost share. When equipment with a fair market value of \$5,000 or more is no longer needed for the purpose originally authorized for the project, the recipient or project participant may elect to retain title only after compensating the DOE for the percentage of the fair market value that is attributed to the Federal participation in the project.

J. REAL PROPERTY.

DOE will retain a financial interest in any real property acquired with Federal funds or supplied by the recipient or project participants as cost share. Real property will be used for the originally authorized purpose as long as needed for that purpose, and the recipient shall not dispose of or encumber its title or other interest. When real property is no longer needed for the originally authorized purpose, the recipient or project participant must request disposition instructions from DOE. The recipient may retain title only after compensating DOE for the percentage of the fair market value that is attributed to the Federal participation in the project. If the recipient does not retain title, DOE will provide instructions on selling the property and compensating DOE or DOE may retain and/or

transfer title after compensating the recipient for the percentage of the fair market value that is attributed to its participation in the project.

K. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) REQUIREMENTS.

If selected for award, an applicant will be restricted from taking any irreversible action using Federal or cost shared funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE reaching a final NEPA decision regarding the project. Irreversible actions include demolition of existing buildings, site clearing, ground breaking, construction, and/or detailed design. In order for DOE to make a NEPA decision, applicants selected for funding will be required to initiate the process by completing an Environmental Checklist electronically through the Golden Field Office NEPA Compliance Form EF-1 Submission website at https://www.eere-pmc.energy.gov/NEPA.asp. If your application is selected for negotiation of award, you will be notified on how to proceed.

Funding Opportunity Announcement Assessing the Feasibility of Renewable Energy Development and Energy Efficiency Deployment on Tribal Lands DE-PS36-09GO99024

APPENDIX A - DEFINITIONS

- "Amendment" means a revision to a Funding Opportunity Announcement
- "Applicant" means the legal entity or individual signing the application. This entity or individual may be one organization or a single entity representing a group of organizations (such as a Consortium) that has chosen to submit a single application in response to a Funding Opportunity Announcement.
- "**Application**" means the documentation submitted in response to a Funding Opportunity Announcement. NOTE: Application is referred to as Proposal in IIPS.
- "Award" means the written documentation executed by a DOE Contracting Officer, after an applicant is selected, which contains the negotiated terms and conditions for providing financial assistance to the applicant. A financial assistance award may be either a grant or a cooperative agreement.
- "Budget" means the cost expenditure plan submitted in the application, including both the DOE contribution and the applicant cost share.
- "Business Contact" means a representative authorized to act on behalf of the applicant to negotiate the agreement, as all DOE official correspondence related to this Announcement, or agreement if one was awarded, would be addressed to the business point of contact.
- "Contracting Officer" means the DOE official authorized to execute Awards on behalf of DOE and who is responsible for the business management and non-program aspects of the financial assistance process.
- "Cooperative Agreement" means a Financial Assistance instrument used by DOE to transfer money or property when the principal purpose of the transaction is to accomplish a public purpose of support or stimulation authorized by Federal statute, and Substantial Involvement (see definition below) is anticipated between DOE and the applicant during the performance of the contemplated activity.
- "Cost Sharing" means the respective share of total project costs to be contributed by the applicant and by DOE. The percentage of applicant cost share is to be applied to the total project cost (i.e., the sum of applicant plus DOE cost shares) rather than to the DOE contribution alone.
- "Central Contractor Registry (CCR)" is the primary database which collects, validates, stores and disseminates data in support of agency missions. All recipients must be registered in the CCR in order to receive awards.
- "Consortium" (plural consortia), means a group of organizations that have chosen to submit a single application. See Tribal Consortium.
- "Data Universal Numbering System (DUNS) Number" is a unique nine-character identification number issued by Dun and Bradstreet (D&B). Organizations must have a DUNS number prior to registering in the CCR. Call 1-866-705-5711 to receive one free of charge. http://www.grants.gov/applicants/request_duns_number.jsp

- **"E-Find"** is a Grants.gov webpage where you can search for Federal Funding Opportunities in FedGrants. http://www.grants.gov/search/searchHome.do
- "Financial Assistance" means the transfer of money or property to an applicant or participant to accomplish a public purpose of support authorized by Federal statute through grants or cooperative agreements and sub-awards. For DOE, it does not include direct loans, loan guarantees, price guarantees, purchase agreements, Cooperative Research and Development Agreements (CRADAs), or any other type of financial incentive instrument.
- "Federally Funded Research and Development Center (FFRDC)" means a research laboratory as defined by Federal Acquisition Regulation 35.017.
- "Funding Opportunity Announcement (FOA)" is a publicly available document by which a Federal agency makes known its intentions to award discretionary grants or cooperative agreements, usually as a result of competition for funds. Funding Opportunity Announcements may be known as program announcements, notices of funding availability, solicitations, or other names depending on the agency and type of program.
- "Grant" means a financial assistance instrument used by DOE to transfer money or property when the principal purpose of the transaction is to accomplish a public purpose of support or stimulation authorized by Federal statute, and no Substantial Involvement is anticipated between DOE and the applicant during the performance of the contemplated activity.
- "Grants.gov" is the "storefront" web portal which allows organizations to electronically find and apply for competitive grant opportunities from all Federal grant-making agencies. Grants.gov is the single access point for over 900 grant programs offered by the 26 Federal grant-making agencies. http://www.grants.gov
- "Indian Reservation" for purposes of this Announcement and as defined under Section 503 of EPAct 2005, includes an Indian reservation in existance in any State or States as of the date of enactment of Title V of EPAct 2005; a public domain Indian allotment; and a dependent Indian community located within the borders of the United States, regardless of whether the community is on original or acquired territory of the community; or within or outside the boundaries of any State or States.
- "Indian Tribe" for purposes of this Announcement, means any Indian tribe, band, nation or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) [43 U.S.C. §§ 1601 et seq.], which are recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. Also, see Tribe.
- "Industry Interactive Procurement System (IIPS)" is DOE's Internet-based procurement system which allows access to DOE's business opportunities database, allows user registration and submittal of Applications: http://e-center.doe.gov/.
- "Key Personnel" means the individuals who will have significant roles in planning and implementing the proposed project on the part of the applicant and participants, including FFRDCs.

- "Organization" for purposes of this Announcement and as defined in EPAct 2005, means a partnership, joint venture, Limited Liability Company (LLC) or other unincorporated association or entity that is established to develop Indian energy resources.
- "Participant" for purposes of this Funding Opportunity Announcement only, means any entity, except the applicant substantially involved in a consortium, or other business arrangement (including all parties to the Application at any tier), responding to the Funding Opportunity Announcement.
- "Principal Investigator" refers to the technical point of contact/Project Manager for a specific project award.
- "Project" means the set of activities described in an Application, State plan, or other document that is approved by DOE for Financial Assistance (whether such Financial Assistance represents all or only a portion of the support necessary to carry out those activities).
- "Project Manager" refers to the technical point of contact or principal investigator for a specific project award.
- "Project Period" means the total period of time indicated in an Award during which DOE expects to provide support contingent upon satisfactory progress and available funds. A project period may consist of one or more budget periods and may be extended by DOE.
- "**Proposal**" is the term used in IIPS meaning the documentation submitted in response to a Funding Opportunity Announcement. Also see application.
- "Recipient" means the organization, individual, or other entity that receives a Financial Assistance Award from DOE, is financially accountable for the use of any DOE funds or property provided for the performance of the Project, and is legally responsible for carrying out the terms and condition of the award.
- "Selection" means the determination by the DOE Selection Official that negotiations take place for certain Projects with the intent of awarding a Financial Assistance instrument.
- "Selection Official" means the DOE official designated to select applications for negotiation toward award under a subject Funding Opportunity Announcement.
- "Substantial Involvement" means involvement on the part of the Government. DOE's involvement may include shared responsibility for the performance of the project; providing technical assistance or guidance which the applicant is to follow; and the right to intervene in the conduct or performance of the project. Such involvement will be negotiated with each applicant prior to signing any agreement.
- "**Technical Contact**" means a representative authorized to act as project manager on behalf of the applicant and would be the prime point of contact for DOE's Project Officer during project performance, if an agreement were to be awarded.
- "Total Project Cost" means all the funds to complete the effort proposed by the applicant, including DOE funds (including direct funding of any FFRDC) plus all other funds that will be committed by the applicant as cost sharing.
- "**Tribe**" for purposes of this Announcement, means any Indian tribe, band, nation or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act

(85 Stat. 688) [43 U.S.C. §§ 1601 et seq.], which are recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. Also, see Indian Tribe.

"Tribal Consortium" (plural consortia), for purposes of this Funding Opportunity Announcement, means a group of organizations, at least one of which is an Indian Tribe, that have chosen to submit a single application, provided the application is submitted by a single Tribe representing the consortium.

"Tribal Energy Resource Development Organization" for purposes of this Funding Opportunity Announcement only, means an organization of two or more entities, at least one of which is an Indian tribe as defined above, that has the written consent of the governing bodies of all Indian Tribes participating in the organization to apply for a grant or loan, or other assistance under 25 U.S.C. § 3502. See Organization.

"Tribal Land" for purposes of this Announcement, is defined as any land located within the boundaries of an "Indian Reservation" (defined below), pueblo, or rancheria; any land not located within boundaries of an Indian reservation, pueblo, or rancheria, the title to which is held in trust by the United States for the benefit of an Indian tribe or an individual Indian; by an Indian tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or by a dependent Indian community; land that is owned by an Indian tribe and was conveyed by the United States to a Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. § 1601 et seq.), or that was conveyed by the United States to a Native Corporation in exchaange for such land; and lands held in fee simple (purchased or owned) or under a Federal land lease.

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APPENDIX B – PERSONALLY IDENTIFIABLE INFORMATION

In responding to this Announcement, Applicants must ensure that Protected Personally Identifiable Information (PII) is not included in the following documents: Project Abstract, Project Narrative, Biographical Sketches, Budget or Budget Justification. These documents will be used by the Merit Review Committee in the review process to evaluate each application. PII is defined by the Office of Management and Budget (OMB) and DOE as:

Any information about an individual maintained by an agency, including but not limited to, education, financial transactions, medical history, and criminal or employment history and information that can be used to distinguish or trace an individual's identity, such as their name, social security number, date and place of birth, mother's maiden name, biometric records, etc., including any other personal information that is linked or linkable to an individual.

This definition of PII can be further defined as: (1) Public PII and (2) Protected PII.

- 1. **Public PII:** PII found in public sources such as telephone books, public websites, business cards, university listing, etc. Public PII includes first and last name, address, work telephone number, email address, home telephone number, and general education credentials.
- 2. **Protected PII:** PII that requires enhanced protection. This information includes data that if compromised could cause harm to an individual such as identity theft.

Listed below are examples of Protected PII that Applicants must not include in the files listed above to be evaluated by the Merit Review Committee.

- Social Security Numbers in any form
- Place of Birth associated with an individual
- Date of Birth associated with an individual
- Mother's maiden name associated with an individual
- Biometric record associated with an individual
- Fingerprint
- Iris scan
- DNA
- Medical history information associated with an individual
- Medical conditions, including history of disease
- Metric information, e.g. weight, height, blood pressure
- Criminal history associated with an individual
- Employment history and other employment information associated with an individual
- Ratings
- Disciplinary actions
- Performance elements and standards (or work expectations) are PII when they are so intertwined with performance appraisals that their disclosure would reveal an individual's performance appraisal
- Financial information associated with an individual
- Credit card numbers
- Bank account numbers
- Security clearance history or related information (not including actual clearances held)

Listed below are examples of Public PII that Applicants may include in the files listed above to be evaluated by the Merit Review Committee:

- Phone numbers (work, home, cell)
- Street addresses (work and personal)
- Email addresses (work and personal)
- Digital pictures
- Employment information that is not PII even when associated with a name
- Resumes, unless they include a Social Security Number
- Present and past position titles and occupational series
- Present and past grades
- Present and past annual salary rates (including performance awards or bonuses, incentive awards, merit pay amount, Meritorious or Distinguished Executive Ranks, and allowances and differentials)
- Present and past duty stations and organization of assignment (includes room and phone numbers, organization designations, work email address, or other identifying information regarding buildings, room numbers, or places of employment)
- Position descriptions, identification of job elements, and those performance standards (but not actual performance appraisals) that the release of which would not interfere with law enforcement programs or severely inhibit agency effectiveness
- Security clearances held
- Written biographies (e.g. to be used in a program describing a speaker)
- Academic credentials
- Schools attended
- Major or area of study
- Personal information stored by individuals about themselves on their assigned workstation or laptop unless it contains a Social Security Number

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APPENDIX C - COST SHARE INFORMATION

The requirement for cost sharing included in Funding Opportunity Announcements (FOA) issued competitively by the Department of Energy (DOE) is either statutory, programmatic, or both. Certain federal statutes require a minimum cost share requirement, by either type of activities funded or by Program. This is known as statutory cost share. The Program may also, at its discretion, require a greater level of cost share than the statutory minimum, or require cost share when there is no minimum requirement, as it determines appropriate. This is called programmatic cost share.

Research and development (R&D) activities (other than R&D activities related to basic science) require Recipients (those receiving the financial assistance awards from DOE) to cost share at a minimum of 20% of total project costs. Demonstration and Deployment activities require Recipients to cost share at a minimum of 50% of total project costs. These statutory requirements are prescribed in Section 988 of the Environmental Policy Act (EPAct) of 2005. Any waiver of this requirement must be approved by the Secretary of Energy.

When responding to a DOE FOA, an Applicant will have the opportunity to ask questions at the DOE IIPS website (https://e-center.doe.gov/). Specific questions as to the acceptability and allowability of intended cost share for a proposed project in response to a FOA may be posed at this site during the time period when the FOA is open for questions.

The regulations that govern Federal Financial Assistance for DOE are found at 10 Code of Federal Regulations (CFR) Part 600. Specifically, Sections 600.123, 600.224, and 600.313, entitled "Cost sharing and matching" provides guidance on acceptable contributions toward cost share requirements, as well as guidance on the valuation and documentation of contributions, for "for profit" organizations. Below is a summary of these requirements as contained in the CFR. The full CFR section may be viewed using the following link: (http://www.access.gpo.gov/nara/cfr/cfr-table-search.html).

Acceptable contributions, including cash contributions and third party contributions, must be accepted as part of the recipient's cost sharing or matching if such contributions meet all of the following criteria:

- They are verifiable from the recipient's records.
- They are not included as contributions for any other federally-assisted project or program.
- They are necessary and reasonable for proper and efficient accomplishment of project or program objectives.
- They are allowable under 10 CFR 600.127, 600.222, or 600.317.
- They are not paid by the Federal Government under another award unless authorized by Federal statute to be used for cost sharing or matching.
- They are provided for in the approved budget.
- They conform to other provisions of this part, as applicable.

General examples of allowable cost share are shown below. It is up to the applicant to ensure that the cost share proposed in response to this FOA is allowable under 10 CFR 600.123, 600.224, and 600.313.

- Cash provided directly by the recipient, or a sub-recipient;
- State or local government funds provided to support the proposed project, which were not provided to the State by the federal Government;
- Employees' salaries included in the budget, if paid by the employer (recipient or subrecipient), and not reimbursed by the federal funding of the project;
- Rental value of buildings or equipment necessary to the success of the proposed project and the value of which is included in the budget for the project;
- Monetary value of project activities documented in the Statement of Project
 Objectives to be performed by a third party which are included in the project budget
 and will not be reimbursed by federal funds

APPENDIX D – INDUSTRY INTERACTIVE PROCUREMENT SYSTEM (IIPS)

FOR HELP, CONTACT THE IIPS HELP DESK AT 1-800-683-0751 (SELECT OPTION 1) OR AT IIPS HELPDESK@E-CENTER.DOE.GOV

1. Locate Announcement/Amendments

- Go to the IIPS website at http://e-center.doe.gov
- Click on "Browse Opportunities" and scroll down to view DOE Financial Assistance
 Opportunities (Viewing "Opportunities by Contracting Activity" is recommended.) Click on
 the "Browse Financial Asst." button OR Click on the "Login" button if you are already
 registered. Click on the radio button that says "IIPS Financial Assistance" and click on
 the "Login" button again. Enter User Name and Password. Click on any of the options for
 viewing the Funding Opportunity Announcement, whichever is easiest for you to locate the
 Announcement. (Viewing "Opportunities by Contracting Activity" is recommended.)
- Click on folder (or blue arrow depending on your server) next to the "Golden Field Office"
- Locate and click on the Announcement number to view the "Financial Assistance Opportunity."
- Scroll to the bottom of the page, where you will find the attached announcement, under "Full Announcement & Other Files."

2. <u>View Announcement Messages/Amendments</u>

 Click on the folder next to the Announcement number to view amendments and announcement messages.

3. IIPS Registration

An applicant only has to register once on IIPS. This registration is permanent and is used for all IIPS submissions. If the applicant has already registered, it is unnecessary to register again. If an applicant has not previously registered, it is encouraged to register in IIPS at least 14 days prior to the Announcement closing date. To register:

- Go to the IIPS website at http://e-center.doe.gov.
- Click on the "Register" button.
- Click on the radio button next to, "Check this box for IIPS" and then click on the "Proceed to Form" button.
- Read the "Notice of Disclaimer" and click on "I Accept" if you are in agreement. (Clicking on "I Decline" will return you to the main registration page.)
- Complete the Registration Form. Also print this page, which contains your password, for future reference.
- Click on "Submit Registration." Applicants will receive a confirmation of receipt of registration.
- Applicants will also receive an email confirming successful registration. If an applicant does not receive this email confirmation within one business day, contact the IIPS Help Desk.

4. Join Mailing List

It is highly recommended that applicants join the mailing list, to receive announcement messages.

• To do so, follow the direction in item 1. <u>Locate Announcement</u>, and then click on the "Join Mailing List" button, enter the required information, and submit.

- After an applicant has joined the mailing list, the applicant will receive an email each time an announcement message is posted.
- However, the applicant should visit the announcement page periodically to ensure receipt of the latest information.

5. Electronic Submission

Applications must be submitted in accordance with the instructions in the announcement.

6. Electronic Signature

Applications submitted through IIPS constitute submission of electronically signed applications. The name of the authorized organizational representative (i.e., the administrative official, who, on behalf of the proposing organization, is authorized to commit the applicant to the conduct of a project) <u>must be typed in the signature block</u> on the form to be accepted as an electronic signature. A scanned copy of the signed documents is not required.

7. Submit Application

Applicants are strongly encouraged to submit applications at least 48 hours prior to the deadline for submissions to ensure timely submission and allow time to resolve any possible transmission problems. To submit an application, follow these steps:

Step 1 – Prepare Application

All required files necessary for a complete application package should be prepared in accordance with the instructions in the announcement prior to starting the transmission process. Files should be completed, organized and named as instructed in Announcement part entitled "Application Content" before proceeding to submit an application. Applicants should submit the entire package in one IIPS session (do not logoff before all the files are attached).

Step 2 - Create Application

- Enter the IIPS website at http://e-center.doe.gov.
- Click on the "Login" button.
- Click on the radio button that says, "IIPS Financial Assistance" and click on "Login" button again.
- Enter your user name (as shown on your registration email confirmation) and password. Note: These are case sensitive.
- Click on any of the options for viewing the Announcement (Opportunity), whichever is easiest for you to locate the announcement. (Viewing "Opportunities by Contracting Activity" is recommended.)
- Click on the folder (or blue arrow) next to the Golden Field Office.
- Locate the Announcement for which you are applying and click on it.
- Click on the "Create Application" button and complete the information on the application Cover Page. In order for DOE to accurately identify each application, applicants must enter a unique project title in the "Subject" line.
- Click on "Continue".

Step 3 – Attach Application

- Click on "Attach Application".
- Scroll to the bottom of the page and attach each file in the corresponding block on the page, as outlined in the announcement, and then click on "Submit." Up to 10 files may be attached. Keep file sizes to a minimum to ensure a shorter transmission time. Be patient while your files upload.

• IIPS will provide a "Submission Confirmation" with a tracking number, please print this page for your records

Once the applicant <u>begins</u> the "Create Application" process, there will be a record created in IIPS. Therefore, applicants must verify that duplicate applications were not inadvertently created in IIPS. If a duplicate was created, follow the steps outlined in Appendix B, Item 9.a. In the event that two or more applications are received from the same applicant with the same unique project title, only the application with the <u>LATEST</u> transmission start time will be considered for review. The application must be received on time.

8. <u>Multiple Applications for Unique Projects</u>

An applicant may submit more than one application under the same announcement; however, each application must be uniquely titled. For each application, the applicant is required to follow the instructions in "Submit Application." Each application must be complete and shall <u>not</u> rely upon another application as submission of the required documents.

9. Deletion of Applications

I. To delete an application (including all files) from IIPS:

To delete or withdraw an application or an application file, contact the IIPS Help Desk requesting the application to be removed. The following information is required when requesting to have an application deleted:

- A. Registered User's Name as well as User Name of requestor (if different)
- B. Email address of the registered user as well as requester (if different)
- C. Company/University Name
- D. Complete Announcement Number
- E. Complete Proposal Tracking Number
- F. Date Submitted (optional)

In addition, if an application is deleted after the closing date, inform the Contract Specialist shown on the announcement, via email.

II. To submit a revised application:

After the Help Desk has removed the requested application, follow the steps in "Submit Application" to submit a revised application (i.e. cover page and all required files).

III. To submit a revised file:

After the Help Desk has removed the requested file from your application:

- Locate the announcement.
- Click on the yellow folder next to the announcement number.
- Click on the cover page of your submission, click on the "Attach Application" link, and attach the revised file. Files received past the due date will not be reviewed.

10. IIPS Questions

View the "IIPS Frequently Asked Questions" by clicking on the "Help" button and scrolling to the bottom of the page. You may also contact the IIPS Help Desk at 1-800-683-0751 (select Option 1) or at IIPS HelpDesk@e-center.doe.gov for questions regarding the operation of IIPS.

11. Submit a Question on the Content of the Announcement

"Locate Announcement", then click on the "Submit Question" button and enter required information. You will receive an electronic notification when your question has been answered. DOE EERE will respond to a question within 5 business days, unless a similar question and answer have already been posted.

12. View Questions and Answers

"Locate Announcement", then click on the "View Questions" button. If no questions have

been submitted and answered, a statement to that effect will appear. Potential applicants should periodically check the IIPS website for new questions and answers.

<u>IIPS Resources</u> A-Z IIPS User Guide—anything and everything the applicant would ever want to know about IIPS. This user guide can be found at: http://e-center.doe.gov/doebiz.nsf/Help?OpenForm by scrolling to the bottom of the page.